



Department of
Environmental
Conservation

Brownfield Cleanup Program

Citizen Participation Plan for 261 Walton Avenue

August 2020

C203135
261 Walton Avenue
Bronx, NY 10451

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Note: The information presented in this Citizen Participation Plan was current as of the date of its approval by the New York State Department of Environmental Conservation. Portions of this Citizen Participation Plan may be revised during the site's investigation and cleanup process.

Applicant: **Tuck-It-Away Associates - Deegan, LLC (“Participant”)**
Site Name: **261 Walton Avenue (“Site”)**
Site Address: **261 Walton Avenue**
Site County: **Bronx**
Site Number: **C203135**

1. What is New York’s Brownfield Cleanup Program?

New York’s Brownfield Cleanup Program (BCP) works with private developers to encourage the voluntary cleanup of contaminated properties known as “brownfields” so that they can be reused and developed. These uses include recreation, housing, and business.

A *brownfield* is any real property that is difficult to reuse or redevelop because of the presence or potential presence of contamination. A brownfield typically is a former industrial or commercial property where operations may have resulted in environmental contamination. A brownfield can pose environmental, legal, and financial burdens on a community. If a brownfield is not addressed, it can reduce property values in the area and affect economic development of nearby properties.

The BCP is administered by the New York State Department of Environmental Conservation (NYSDEC) which oversees Applicants who conduct brownfield site investigation and cleanup activities. An Applicant is a person who has requested to participate in the BCP and has been accepted by NYSDEC. The BCP contains investigation and cleanup requirements, ensuring that cleanups protect public health and the environment. When NYSDEC certifies that these requirements have been met, the property can be reused or redeveloped for the intended use.

For more information about the BCP, go online at: <http://www.dec.ny.gov/chemical/8450.html> .

2. Citizen Participation Activities

Why NYSDEC Involves the Public and Why It Is Important

NYSDEC involves the public to improve the process of investigating and cleaning up contaminated sites, and to enable citizens to participate more fully in decisions that affect their health, environment, and social well-being. NYSDEC provides opportunities for citizen involvement and encourages early two-way communication with citizens before decision-makers form or adopt final positions.

Involving citizens affected and interested in site investigation and cleanup programs is important for many reasons. These include:

- Promoting the development of timely, effective site investigation and cleanup programs that protect public health and the environment
- Improving public access to, and understanding of, issues and information related to a particular site and that site's investigation and cleanup process
- Providing citizens with early and continuing opportunities to participate in NYSDEC's site investigation and cleanup process
- Ensuring that NYSDEC makes site investigation and cleanup decisions that benefit from input that reflects the interests and perspectives found within the affected community
- Encouraging dialogue to promote the exchange of information among the affected/interested public, State agencies, and other interested parties that strengthens trust among the parties, increases understanding of site and community issues and concerns, and improves decision making.

This Citizen Participation (CP) Plan provides information about how NYSDEC will inform and involve the public during the investigation and cleanup of the site identified above. The public information and involvement program will be carried out with assistance, as appropriate, from the Applicant.

Project Contacts

Appendix A identifies NYSDEC project contact(s) to whom the public should address questions or request information about the site's investigation and cleanup program. The public's suggestions about this CP Plan and the CP program for the site are always welcome. Interested people are encouraged to share their ideas and suggestions with the project contacts at any time.

Locations of Reports and Information

The locations of the reports and information related to the site's investigation and cleanup program also are identified in Appendix A. These locations provide convenient access to important project documents for public review and comment. Some documents may be placed on the NYSDEC web-site. If this occurs, NYSDEC will inform the public in fact sheets distributed about the site and by other means, as appropriate.

Site Contact List

Appendix B contains the site contact list. This list has been developed to keep the community informed about, and involved in, the site's investigation and cleanup process. The site contact list will be used periodically to distribute fact sheets that provide updates about the status of the project. These will include notifications of upcoming activities at the site (such as fieldwork), as well as availability of project documents and announcements about public comment periods.

The site contact list includes, at a minimum:

- Chief executive officer and planning board chairperson of each county, city, town and village in which the site is located;
- Residents, owners, and occupants of the site and properties adjacent to the site;
- The public water supplier which services the area in which the site is located;
- Any person who has requested to be placed on the site contact list;
- The administrator of any school or day care facility located on or near the site for purposes of posting and/or dissemination of information at the facility;
- Location(s) of reports and information.

The site contact list will be reviewed periodically and updated as appropriate. Individuals and organizations will be added to the site contact list upon request. Such requests should be submitted to the NYSDEC project contact(s) identified in Appendix A. Other additions to the site contact list may be made at the discretion of the NYSDEC project manager, in consultation with other NYSDEC staff as appropriate.

Note: The first site fact sheet (usually related to the draft Remedial Investigation Work Plan) is distributed both by paper mailing through the postal service and through DEC Delivers, its email listserv service. The fact sheet includes instructions for signing up with the appropriate county listserv to receive future notifications about the site. See <http://www.dec.ny.gov/chemical/61092.html> .

Subsequent fact sheets about the site will be distributed exclusively through the listserv, except for households without internet access that have indicated the need to continue to receive site information in paper form. Please advise the NYSDEC site project manager identified in Appendix A if that is the case. Paper mailings may continue during the investigation and cleanup process for some sites, based on public interest and need.

CP Activities

The table at the end of this section identifies the CP activities, at a minimum, that have been and will be conducted during the site's investigation and cleanup program. The flowchart in Appendix D shows how these CP activities integrate with the site investigation and cleanup process. The public is informed about these CP activities through fact sheets and notices distributed at significant points during the program. Elements of the investigation and cleanup process that match up with the CP activities are explained briefly in Section 5.

- **Notices and fact sheets** help the interested and affected public to understand contamination issues related to a site, and the nature and progress of efforts to investigate and clean up a site.
- **Public forums, comment periods and contact with project managers** provide opportunities for the public to contribute information, opinions and perspectives that have potential to influence decisions about a site's investigation and cleanup

The public is encouraged to contact project staff at any time during the site's investigation and cleanup process with questions, comments, or requests for information.

This CP Plan may be revised due to changes in major issues of public concern identified in Section 3 or in the nature and scope of investigation and cleanup activities. Modifications may include additions to the site contact list and changes in planned citizen participation activities.

Technical Assistance Grant

NYSDEC must determine if the site poses a significant threat to public health or the environment. This determination generally is made using information developed during the investigation of the site, as described in Section 5.

If the site is determined to be a significant threat, a qualifying community group may apply for a Technical Assistance Grant (TAG). The purpose of a TAG is to provide funds to the qualifying group to obtain independent technical assistance. This assistance helps the TAG recipient to interpret and understand existing environmental information about the nature and extent of contamination related to the site and the development/implementation of a remedy.

An eligible community group must certify that its membership represents the interests of the community affected by the site, and that its members' health, economic well-being or enjoyment of the environment may be affected by a release or threatened release of contamination at the site.

As of the date the declaration (page 2) was signed by the NYSDEC project manager, the significant threat determination for the site had not yet been made.

To verify the significant threat status of the site, the interested public may contact the NYSDEC project manager identified in Appendix A.

For more information about TAGs, go online at <http://www.dec.ny.gov/regulations/2590.html>

Note: The table identifying the citizen participation activities related to the site's investigation and cleanup program follows on the next page:

Citizen Participation Activities	Timing of CP Activity(ies)
Application Process:	
<ul style="list-style-type: none"> • Prepare site contact list • Establish document repository(ies) 	At time of preparation of application to participate in the BCP.
<ul style="list-style-type: none"> • Publish notice in Environmental Notice Bulletin (ENB) announcing receipt of application and 30-day public comment period • Publish above ENB content in local newspaper • Mail above ENB content to site contact list • Conduct 30-day public comment period 	When NYSDEC determines that BCP application is complete. The 30-day public comment period begins on date of publication of notice in ENB. End date of public comment period is as stated in ENB notice. Therefore, ENB notice, newspaper notice, and notice to the site contact list should be provided to the public at the same time.
After Execution of Brownfield Site Cleanup Agreement (BCA):	
<ul style="list-style-type: none"> • Prepare Citizen Participation (CP) Plan 	Before start of Remedial Investigation Note: Applicant must submit CP Plan to NYSDEC for review and approval within 20 days of the effective date of the BCA.
Before NYSDEC Approves Remedial Investigation (RI) Work Plan:	
<ul style="list-style-type: none"> • Distribute fact sheet to site contact list about proposed RI activities and announcing 30-day public comment period about draft RI Work Plan • Conduct 30-day public comment period 	Before NYSDEC approves RI Work Plan. If RI Work Plan is submitted with application, public comment periods will be combined and public notice will include fact sheet. Thirty-day public comment period begins/ends as per dates identified in fact sheet.
After Applicant Completes Remedial Investigation:	
<ul style="list-style-type: none"> • Distribute fact sheet to site contact list that describes RI results 	Before NYSDEC approves RI Report
Before NYSDEC Approves Remedial Work Plan (RWP):	
<ul style="list-style-type: none"> • Distribute fact sheet to site contact list about draft RWP and announcing 45-day public comment period • Public meeting by NYSDEC about proposed RWP (if requested by affected community or at discretion of NYSDEC project manager) • Conduct 45-day public comment period 	Before NYSDEC approves RWP. Forty-five day public comment period begins/ends as per dates identified in fact sheet. Public meeting would be held within the 45-day public comment period.
Before Applicant Starts Cleanup Action:	
<ul style="list-style-type: none"> • Distribute fact sheet to site contact list that describes upcoming cleanup action 	Before the start of cleanup action.
After Applicant Completes Cleanup Action:	
<ul style="list-style-type: none"> • Distribute fact sheet to site contact list that announces that cleanup action has been completed and that NYSDEC is reviewing the Final Engineering Report • Distribute fact sheet to site contact list announcing NYSDEC approval of Final Engineering Report and issuance of Certificate of Completion (COC) 	At the time the cleanup action has been completed. Note: The two fact sheets are combined when possible if there is not a delay in issuing the COC.

3. Major Issues of Public Concern

This section of the CP Plan identifies major issues of public concern that relate to the site. Additional major issues of public concern may be identified during the course of the site's investigation and cleanup process.

The following major issues of public concern were identified: air quality, health of workers and community, nuisance odors, noise, and construction-related traffic. These issues are of most concern to adjacent property owners, residents, and businesses, and site workers. These issues will be addressed in the Remedial Investigation (RI) Work Plan, Remedial Action Work Plan (RAWP), Community Air Monitoring Program (CAMP), site-specific Health and Safety Plan (HASP) and Construction HASP (CHASP) for the project. These documents will undergo public notice and are subject to approval by the NYSDEC and the New York State Department of Health (NYSDOH) prior to work being performed.

Based on previous investigations, historical operations at the brownfield site include an electrical specialties and lumber storage facility (1908); an automotive wrecking yard (1909-1965); a card and paper warehouse (1927-1956); a brick, lime and cement manufacturing company with a 550-gallon gasoline underground storage tank (1935); an automotive repair facility (1936-1976); a furniture warehouse and showroom (1977-1996), and a self-storage warehouse (1996-2017). The site is currently improved with a vacant six-story building, associated garages and an asphalt-paved parking area.

Contaminants of concern that have been identified to date include semi-volatile organic compounds (SVOCs) and metals. Contaminants are discussed in further detail in Section 4 below. The identified contaminants will be assessed, delineated and remediated in accordance with NYSDEC-approved work plans.

Site information is available through Project Contacts mentioned in Section 2 and Appendix A. The BCP Application, which includes the previous site investigations and identifies future reports that will be prepared for the NYSDEC, is available in the document repository discussed above in Section 2 and in Appendix A. The RI Work Plan is also available in the document repository and includes schedules for planned work. The RAWP will include additional schedules for planned work.

The site is located in an Environmental Justice Area. Environmental justice is defined as the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.

Environmental justice efforts focus on improving the environment in communities, specifically minority and low-income communities, and addressing disproportionate adverse environmental impacts that may exist in those communities.

The site is located in an area with a large Hispanic-American population nearby. Therefore, all future fact sheets will be translated into Spanish

For additional information, visit:
<https://popfactfinder.planning.nyc.gov/profile/1275/demographic>

4. Site Information

Appendix C contains a map identifying the location of the site.

Site Description

The site is located at 261 Walton Avenue in the Mott Haven neighborhood of the Bronx, NY. The site is about 27,454 square feet (0.63 acres) in area and is identified on the Bronx Borough Tax Map as Block 2344, Lot 60. The site is currently improved with a vacant six-story building, associated garages and an asphalt-paved parking area. A site Location Map is provided as Appendix C.

The site is located in an area generally characterized by commercial, industrial, and institutional use. The site is bound by an industrial/manufacturing building to the north, Walton Avenue followed by industrial buildings to the east, a gas station to the south, and Gerard Avenue followed by the Major Deegan Expressway to the west.

According to the 2013 United States Geological Survey (USGS) Central Park Quadrangle 7.5-minute Series Topographic Map, the site is located at an elevation of approximately 25 feet above mean sea level (msl). The topography of the site slopes to the west, towards the Harlem River.

According to the New York City Planning Commission Zoning Map 6a, the site is located in a M1-4/R6A light manufacturing and medium-density residential district. The M1-4 light manufacturing district allows for light industrial uses like woodworking and repair shops. The R6A medium density residential district allows for development of apartment buildings with a typical height of 13-stories and floor area ratio (FAR) of 0.78 to 2.43. The site is also located in the MX-13 Special Mixed Use District. Special purpose districts are applied to areas to achieve specific planning and urban design objectives. The Special Mixed Use District was designated to “encourage investment in, and enhance the vitality of, existing neighborhoods with mixed residential and industrial uses for new mixed communities”. The site is being rezoned to residential zoning R8A to accommodate a higher FAR. The R8A high-density residential district allows for the development of apartment buildings ranging from mid-rise, eight- to ten-story buildings to taller buildings set back from the street and FAR of 0.94 to 6.02. The proposed development will be consistent with the new rezoning.

History of Site Use, Investigation, and Cleanup

The site and surrounding area are located in an urban setting historically characterized by institutional, commercial, and industrial development. Historical operations at the brownfield site include an electrical specialties and lumber storage facility (1908); an automotive wrecking yard (1909 – 1965); a brick, lime and cement manufacturing company with a 550-gallon gasoline underground storage tank (1935); and an automotive

repair facility (1936 – 1976); a furniture warehouse and showroom (1977-1996), and a self-storage warehouse (1996-2017). Previously, the site was the subject of a Phase I Environmental Site Assessment and limited subsurface investigation, which are documented in the following reports:

- *December 13, 2011 Phase I Environmental Site Assessment, prepared by Airtek Environmental Corporation*
- *February 16, 2012 Limited Phase II Environmental Site Assessment, prepared by IVI Environmental, Inc.*
- *June 8, 2015 ASTM E1528-14 Transaction Screen Environmental Site Assessment Report, prepared by LCS, Inc.*

A summary of the relevant information from each report is presented below:

December 13, 2011 Phase I Environmental Site Assessment

Airtek Environmental Corporation conducted a Phase I Environmental Site Assessment (ESA) on behalf of M & T Bank in accordance with ASTM E1527-13. The site was occupied and owned by Tuck-it-away Associates and used as a self-storage at the time of the assessment. The Phase I ESA identified the following Recognized Environmental Conditions (REC):

- Previous site use included an electrical specialties and lumber storage facility (1908); an automotive wrecking yard (1909-1965); a card and paper warehouse (1927-1956); a brick, lime and cement manufacturing company with a 550-gallon gasoline underground storage tank (1935); an automotive repair facility (1936-1976); and a furniture warehouse and showroom (1977-2007).
- Current and historical use of the adjoining and surrounding properties included the following:
 - Southern adjoining property was historically occupied by a piano factory and lumber storage facility (1908-1935) and then by a fueling station (1951-present). The property is associated with two closed New York State Department of Environmental Conservation (NYSDEC) Spills (Nos. 9408104 and 0207682).
 - Northern adjoining property was historically used for furniture manufacturing, storage, and as a dyeing facility and a paint shop (1925-2007).
 - Northeastern adjoining property, across Walton Avenue, was historically used as a fueling station and automotive sales and service facility (1935-2003) and

a car wash with an automotive service station (2003-present). The site is associated with an open NYSDEC Spill (No. 9909720).

- Eastern adjoining property, across Walton Avenue, was historically used as an automotive fueling station (1935) and plastics manufacturing facility (1947-1951).
- As part of the Lower Concourse Rezoning, dated May 8, 2009, the site was assigned an E-Designation (E-227) for hazardous materials and air quality (for fuel oil/natural gas restriction and exhaust stack location limitations).

February 16, 2012 Limited Phase II Environmental Site Assessment (ESA)

IVI Environmental, Inc. conducted a Limited Phase II ESA in February 2012 to investigate the RECs identified in the Phase I ESA. The Limited Phase II ESA included a geophysical survey, advancement of ten soil borings and collection and laboratory analysis of eight soil samples. The following summarizes the findings of the Limited Phase II ESA:

- Subsurface soils encountered during the investigation consisted of historic fill material and brown silty sands and clay. The historic fill was observed to depths varying between about 10 inches and 5 feet below grade surface (bgs). Historic fill was generally underlain by silty sands, clay, and weathered rock. Refusal, on presumed bedrock, was encountered in each of the ten borings at depths ranging from approximately 10 inches below grade surface (bgs) in the northeastern part of the site to 9 feet bgs in the northwestern part of the site. Groundwater was not encountered in any of the soil borings.
- Petroleum impacts (i.e., visual, olfactory and/or photoionization detector [PID] readings) were not observed in the borings. Soil samples were collected from the bottom of each soil boring and analyzed for volatile organic compounds (VOC), SVOC and Resource Conservation and Recovery Act (RCRA) metals.
- Soil sample results were compared to the NYSDEC Title 6 of the Official Compilation of New York Codes, Rules, and Regulations (NYCRR) Part 375 Unrestricted Use (UU) and Restricted Use Restricted Residential (RURR) Soil Cleanup Objectives (SCO). Analytes with detections above the UU SCOs are listed below, with those above the RURR SCOs shown in bold.
 - No VOCs were detected at concentrations above UU or RURR SCO.
 - SVOCs: **benzo(a)anthracene** (maximum concentration 8.3 milligrams per kilogram [mg/kg]), **benzo(a)pyrene** (maximum concentration 10 mg/kg), **benzo(b)fluoranthene** (maximum concentration 13 mg/kg), **benzo(k)fluoranthene** (maximum concentration 6.3 mg/kg), **chrysene**

(maximum concentration 7.9 mg/kg), **dibenzo(a,h)anthracene** (maximum concentration 1.2 mg/kg), and **indeno(1,2,3-cd)pyrene** (maximum concentration 3.7 mg/kg).

- Metals: barium (maximum concentration 386 mg/kg), **cadmium** (maximum concentration 6.9 mg/kg), **lead** (maximum concentration 8,440 mg/kg), mercury (maximum concentration 0.56 mg/kg), and silver (maximum concentration 3.69 mg/kg).

June 8, 2015 ASTM E1528-14 Transaction Screen Environmental Site Assessment Report

LCS Inc. conducted an ASTM 15-28-14 Transaction Screen Environmental Site Assessment Report for M&T Bank of New York to identify potential environmental concerns (PEC) for financing purposes. The site was occupied by Tuck It Away Self Storage at the time of the site inspection, and the report identified the following PECs:

- Historic site use included an auto wrecking yard and auto repair facility. An associated 2012 investigation (the Limited Phase II ESA described above) identified elevated metal and SVOCs in soil across the site.
- The site was assigned an E-Designation for hazardous materials and air quality.

Adjacent properties, including a south adjacent gasoline station, with the potential to impact subsurface conditions on the site.

5. Investigation and Cleanup Process

Application

The Applicant has applied for and been accepted into New York's Brownfield Cleanup Program as a Participant. This means that the Applicant was the owner of the site at the time of the disposal or discharge of contaminants or was otherwise liable for the disposal or discharge of the contaminants. The Participant must fully characterize the nature and extent of contamination onsite, as well as the nature and extent of contamination that has migrated from the site. The Participant also must conduct a "qualitative exposure assessment," a process that characterizes the actual or potential exposures of people, fish and wildlife to contaminants on the site and to contamination that has migrated from the site.

The Applicant in its Application proposes that the site will be used for restricted purposes.

To achieve this goal, the Applicant will conduct investigation activities at the site with oversight provided by NYSDEC. The Brownfield Cleanup Agreement executed by

NYSDEC and the Applicant sets forth the responsibilities of each party in conducting these activities at the site.

Investigation

The Applicant will conduct an investigation of the site officially called a “remedial investigation” (RI). This investigation will be performed with NYSDEC oversight. A remedial investigation workplan was submitted to the NYSDEC concurrent with the BCP Application and will be subject to public comment.

The site investigation has several goals:

- 1) define the nature and extent of contamination in soil, surface water, groundwater and any other parts of the environment that may be affected;
- 2) identify the source(s) of the contamination;
- 3) assess the impact of the contamination on public health and the environment; and
- 4) provide information to support the development of a proposed remedy to address the contamination or the determination that cleanup is not necessary.

The Applicant submitted a draft “Remedial Investigation Work Plan” to NYSDEC for review and approval. NYSDEC makes the draft plan available to the public review during a 30-day public comment period.

When the investigation is complete, the Applicant will prepare and submit a report that summarizes the results. This report also will recommend whether cleanup action is needed to address site-related contamination. The investigation report is subject to review and approval by NYSDEC.

NYSDEC will use the information in the investigation report to determine if the site poses a significant threat to public health or the environment. If the site is a “significant threat,” it must be cleaned up using a remedy selected by NYSDEC from an analysis of alternatives prepared by the Applicant and approved by NYSDEC. If the site does not pose a significant threat, the Applicant may select the remedy from the approved analysis of alternatives.

Interim Remedial Measures

An Interim Remedial Measure (IRM) is an action that can be undertaken at a site when a source of contamination or exposure pathway can be effectively addressed before the site investigation and analysis of alternatives are completed. If an IRM is likely to represent all or a significant part of the final remedy, NYSDEC will require a 30-day public comment period.

Remedy Selection

When the investigation of the site has been determined to be complete, the project likely would proceed in one of two directions:

1. The Applicant may recommend in its investigation report that no action is necessary at the site. In this case, NYSDEC would make the investigation report available for public comment for 45 days. NYSDEC then would complete its review, make any necessary revisions, and, if appropriate, approve the investigation report. NYSDEC would then issue a “Certificate of Completion” (described below) to the Applicant.

or

2. The Applicant may recommend in its investigation report that action needs to be taken to address site contamination. After NYSDEC approves the investigation report, the Applicant may then develop a cleanup plan, officially called a “Remedial Work Plan”. The Remedial Work Plan describes the Applicant’s proposed remedy for addressing contamination related to the site.

When the Applicant submits a draft Remedial Work Plan for approval, NYSDEC would announce the availability of the draft plan for public review during a 45-day public comment period.

Cleanup Action

NYSDEC will consider public comments, and revise the draft cleanup plan if necessary, before approving the proposed remedy. The New York State Department of Health (NYSDOH) must concur with the proposed remedy. After approval, the proposed remedy becomes the selected remedy. The selected remedy is formalized in the site Decision Document.

The Applicant may then design and perform the cleanup action to address the site contamination. NYSDEC and NYSDOH oversee the activities. When the Applicant completes cleanup activities, it will prepare a final engineering report that certifies that cleanup requirements have been achieved or will be achieved within a specific time frame. NYSDEC will review the report to be certain that the cleanup is protective of public health and the environment for the intended use of the site.

Certificate of Completion

When NYSDEC is satisfied that cleanup requirements have been achieved or will be achieved for the site, it will approve the final engineering report. NYSDEC then will issue a Certificate of Completion (COC) to the Applicant. The COC states that cleanup goals have been achieved, and relieves the Applicant from future liability for site-related contamination, subject to certain conditions. The Applicant would be eligible to redevelop the site after it receives a COC.

Site Management

The purpose of site management is to ensure the safe reuse of the property if contamination will remain in place. Site management is the last phase of the site cleanup program. This phase begins when the COC is issued. Site management incorporates any institutional and engineering controls required to ensure that the remedy implemented for the site remains protective of public health and the environment. All significant activities are detailed in a Site Management Plan.

An *institutional control* is a non-physical restriction on use of the site, such as a deed restriction that would prevent or restrict certain uses of the property. An institutional control may be used when the cleanup action leaves some contamination that makes the site suitable for some, but not all uses.

An *engineering control* is a physical barrier or method to manage contamination. Examples include: caps, covers, barriers, fences, and treatment of water supplies.

Site management also may include the operation and maintenance of a component of the remedy, such as a system that pumps and treats groundwater. Site management continues until NYSDEC determines that it is no longer needed.

**Appendix A -
Project Contacts and Locations of Reports and Information**

Project Contacts

For information about the site's investigation and cleanup program, the public may contact any of the following project staff:

New York State Department of Environmental Conservation (NYSDEC):

Hasan Ahmed
Project Manager
NYSDEC Region 2
Division of Environmental Remediation
Hunter's Point Plaza
47-40 21st Street
Long Island City, NY 11101

New York State Department of Health (NYSDOH):

Renata Ockerby
Project Manager
NYSDOH
Empire State Plaza
Corning Tower Room 1787
Albany, NY 12237
beei@health.ny.gov

Locations of Reports and Information

The facilities identified below are being used to provide the public with convenient access to important project documents:

**New York Public Library – Mott
Haven Branch**
321 East 140th Street
Bronx, New York
Attn: Jeanine Cross, Library Manager
Phone: (718) 665-4878
Hours: Monday through Thursday
10:00-19:00, Friday and Saturday 10:00
to 17:00, closed Sundays

Bronx Community Board 1
3024 Third Avenue
Bronx, NY, 10455
Attn: George Rodriguez
Phone: (718) 585-7117
Hours: Monday through Friday 9am-
5pm (call for appointment)

Appendix B - Site Contact List

Chief Executive Officer
Mayor Bill de Blasio
City Hall
260 Broadway Avenue
New York, NY 10007

Hon. Ruben Diaz Jr.
Bronx Borough President
851 Grand Concourse, Suite 301
Bronx, NY 10451

Hon. Scott Stringer
NYC Comptroller
1 Centre Street
New York, NY 10007

Hon. Juumane Williams
Public Advocate
1 Centre Street
New York, NY 10007

Vincent Sapienza
Commissioner, NYC Dept. of Environmental Protection
59-17 Junction Boulevard
Flushing, NY 11373

Mark McIntyre, Director
NYC Office of Environmental Remediation
100 Gold Street - 2nd Floor
New York, NY 10038

Julie Stein
Office of Environmental Assessment & Planning
NYC Dept. of Environmental Protection
96-05 Horace Harding Expressway
Flushing, NY 11373

Hon. Diane Ayala
NYC Councilwoman
105 East 116th Street

New York, NY 10029

Hon. Jose M. Serrano
NYS Senator
1916 Park Avenue, Suite 202
New York, NY 10037

Hon. Carmen E. Arroyo
NYS Assemblywoman
384 East 149th Street, Suite 202
Bronx, NY 10455

Hon Charles Schumer
U.S. Senator
780 Third Avenue, Suite 2301
New York, NY 10017

Hon. Kirsten Gillibrand
U.S. Senator
780 Third Avenue, Suite 2601
New York, NY 10017

Hon. Jose E. Serrano
U.S. House of Representatives
1231 Lafayette Avenue, 4th Floor
Bronx, NY 10474

New York City Planning Commission
Marisa Lago, Chairperson
Department of City Planning
22 Reade Street
New York, NY 10007-1216

Borough of Bronx, Borough President
Ruben Diaz Jr.
Office of the Bronx Borough President
851 Grand Concourse, 3rd Floor
Bronx, New York 10451

Borough of Bronx, Department of Planning and Development
James Rausse
851 Grand Concourse, 3rd Floor
Bronx, New York 10451

Bronx Community Board 1
George Rodriguez, Chairperson
3024 Third Avenue
Bronx, NY, 10455

Residents, owners, and occupants of the site and properties adjacent to the site

There are no residents at the site. The site is currently unoccupied.

A separate mailing address is listed where owners do not reside at the listed property.

287 – 289 Walton Avenue LLC
287 Walton Avenue
Bronx, NY 10451
Phone Number Not Available

Sun Walton LLC
288 Walton Avenue
Bronx, NY 10451
Phone Number Not Available
Owner Address:
31 West 34th Street, Suite 102
New York, NY 10001

John Lage
270 Walton Avenue
Bronx, NY 10451
Phone Number Not Available
Owner Address:
1785 Webster Avenue
Bronx, NY 10457

NOBR 261 LLC
261 Grand Concourse
Bronx, NY 10451
Phone Number Not Available

Seymour Ostrager
109 East 138th Street
Bronx, NY 10451
Phone Number Not Available

Mad-Bri Associates, LLC
255 Exterior Street
Bronx, NY 10451
550 Mamaroneck Avenue, Room 404
Harrison, NY 10528

Consolidated Edison Company Of New York, Inc.
281 Exterior Street
Bronx, NY 10451
Phone Number: 1-800-572-6633
Owner Address:
4 Irvington Place, Room 1875
New York, NY 10003

Local News Media

Bronx Times
3602 East Tremont Avenue, Suite 205
Bronx, NY 10465

Spectrum NY 1 News
75 Ninth Avenue
New York, NY 10011

Hoy Nueva York
1 MetroTech Center, 18th Floor
Brooklyn, NY 11201

El Diario La Prensa
1 MetroTech Center, 18th Floor
Brooklyn, NY 11201

New York Daily News
4 New York Plaza
New York, NY 10004

New York Post
1211 Avenue of the Americas
New York, NY 10036

Bronx Times Reporter
900 East 132nd Street
Bronx, NY 10454

Bronx News
135 Dreiser Loop
Bronx, NY 10475

The Bronx Community News
P.O. Box #1775
New York, NY 10027

Bronx Free Press
5030 Broadway, Suite 801
Bronx, NY 10034

Public Water Supplier

The responsibility for supplying water in New York City is shared between the NYC Department of Environmental Protection, the Municipal Water Finance Authority, and the New York City Water Board:

NYCDEP
Vincent Sapienza, Acting Commissioner
59-17 Junction Boulevard
Flushing, NY 11373

New York City Municipal Water Finance Authority
255 Greenwich Street, 6th Floor
New York, NY 10007

New York City Water Board
NYC Department of Environmental Protection
59-17 Junction Boulevard, 8th Floor
Flushing, NY 11373

Schools and Daycare Facilities

There are no schools or day care facilities located on the site. The following are schools or day care facilities located within ½ mile of the site:

Health Opportunities High School (approximately 0.08 miles north of the site)
Andrew Clayman, Principal
350 Gerard Avenue
Bronx, NY 10451
(718) 401-1826

Community School for Social Justice (approximately 0.10 miles north of the site)
Jaime Guzman, Principal
350 Gerard Ave
Bronx, NY 10451
(718) 402-8481

Family Life Academy Charter School III (approximately 0.14 miles north of the site)
Andrea Hernandez, Principal

370 Gerard Avenue
Bronx, NY 10451
(718) 585-6580

P.S. 168 (approximately 0.2 miles east of the site)
Maureen Fullerton, Principal
339 Morris Avenue
Bronx, NY 10451
(718) 585-2100

Success Academy Bronx 1 Middle School (approximately 0.24 miles east of the site)
Jackie Grindelli
339 Morris Avenue
Bronx, NY 10451
(347) 286-7950

KIPP NYC College Prep High School (approximately 0.25 miles northeast of the site)
Carlos Capellan, Principal
201 East 144th Street
Bronx, NY 10451
(212) 991-2626

Sunshine Learning Center (approximately 0.26 miles northeast of the site)
Dr. Tolaison Hooks, Administrator
253 East 142nd Street
Bronx, NY 10451
(718) 215-1188

Global Community Charter School (approximately 0.28 miles northwest of the site)
Kristan Norgrove, Chief Academic Officer
2350 5th Avenue
New York, NY 10037
(646) 360-2363

Hostos Community Children's Center (approximately 0.28 miles north of the site)
Shavon D. Ford, Executive Director
475 Grand Concourse
Bronx, NY 10451
(718) 518-4176

Family Life Academy Charter School II (approximately 0.32 miles southeast of the site)
Kathy Ortiz, Principal
296 East 140th Street
Bronx, NY 10454
(718) 665-2805

The Jewish Board: Harlem Child Development Center (approximately 0.34 miles northwest of the site)
David Rivel, Chief Executive Officer
34 West 139th Street
New York, NY 10037
(212) 690-7234

Creciendo DayCare (approximately 0.35 miles east of the site)
Administrator: NA
281 East 143rd Street, Apt. 12-F
Bronx, NY 10451
(347) 594-4040

Cuddly Bundles Childcare (approximately 0.38 miles north of the site)
Ms. Renee, Administrator
137 East 150th Street
Bronx, NY 10451
(718) 402-4801

Democracy Prep Charter Middle School (approximately 0.39 miles northwest of the site)
Nakita Green, Principal
2230 5th Avenue
New York, NY 10037
(212) 281-5359

Zeta Charter School Bronx 1 (approximately 0.41 miles southeast of the site)
Tamika Tretu, Resident Principal
222 Alexander Ave
Bronx, NY 10454
(929) 376-9987

PS 18 John Peter Zenger (approximately 0.41 miles northeast of the site)
Lauren Sewell Walker, Principal
502 Morris Avenue
Bronx, NY 10451
(718) 292-2868

St. Mark the Evangelist School (approximately 0.42 miles northwest of the site)
Dominic Fanelli, Principal
55 West 138th Street
New York, NY 10037
(212) 283-4848

New York City Housing Authority's Lincoln Day Care Center (approximately 0.42 miles west of the site)
Administrator: NA
2112 Madison Avenue
New York, NY 10037
(212) 427-8542

PS 49 Willis Avenue (approximately 0.46 miles southeast of the site)
Frank Hernandez, Principal
383 East 139th Street
Bronx, NY 10454
(718) 292-4623

South Bronx Classical Charter School II (approximately 0.48 miles southeast of the site)
Leena Gyftopoulos, School Director
333 East 135th Street
Bronx, NY 10454
(718) 292-9526

The Laboratory School of Finance and Technology (approximately 0.49 miles east of the site)
Dr. Ramon Gonzalez, Principal
360 East 145th Street
Bronx, NY 10454
(718) 292-7435

Community, Civic, Religious and Other Environmental Organizations:

Eric Soto - Director
Consolidated Edison Corporate Affairs
511 Theodore Fremd Avenue
Rye, NY 10580

Gabriel de Jesus – President
40th Police Precinct Council
257 Alexander Avenue
Bronx, NY 10454

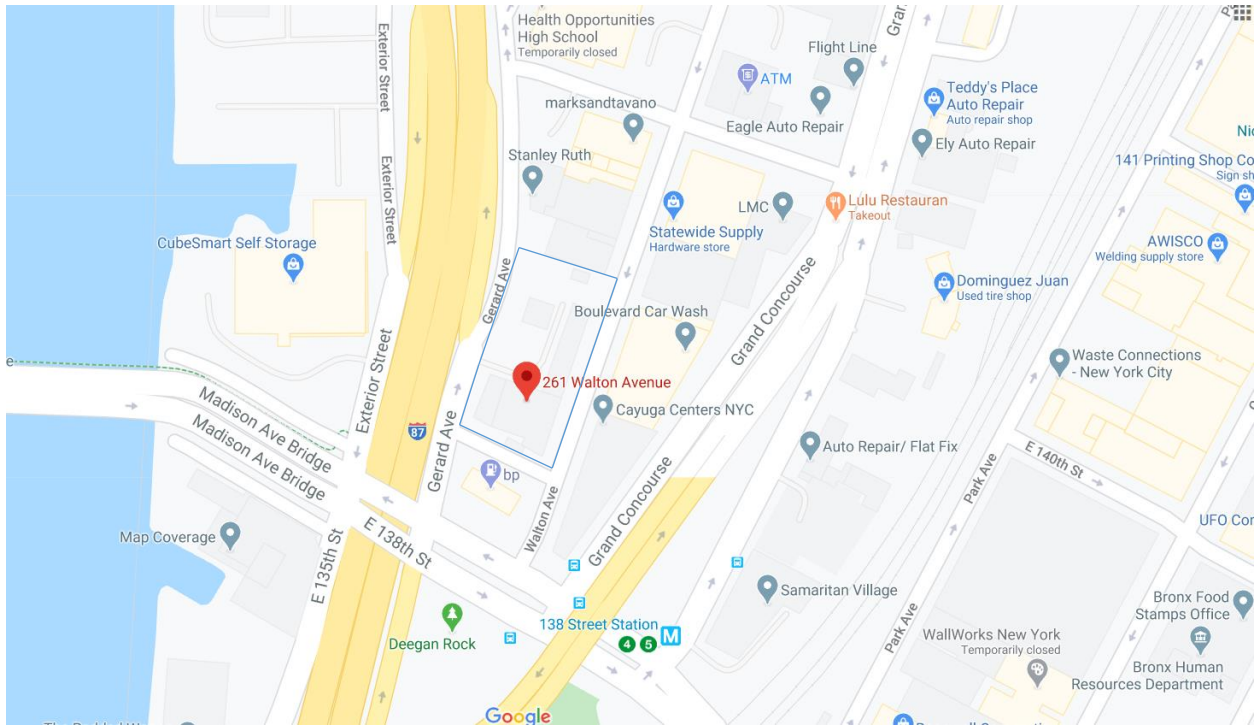
Battalion 14 Engine 60 Ladder 17
341 EAST 143 STREET
Bronx, NY 10454

South Bronx Community Congress
145 East 149th Street, 2nd Floor
Bronx, NY 10451
Tel: (917) 517-1320
Email: info@southbronxcommunityinfo.com
Website: <http://www.southbronxcommunitycongress.com/>

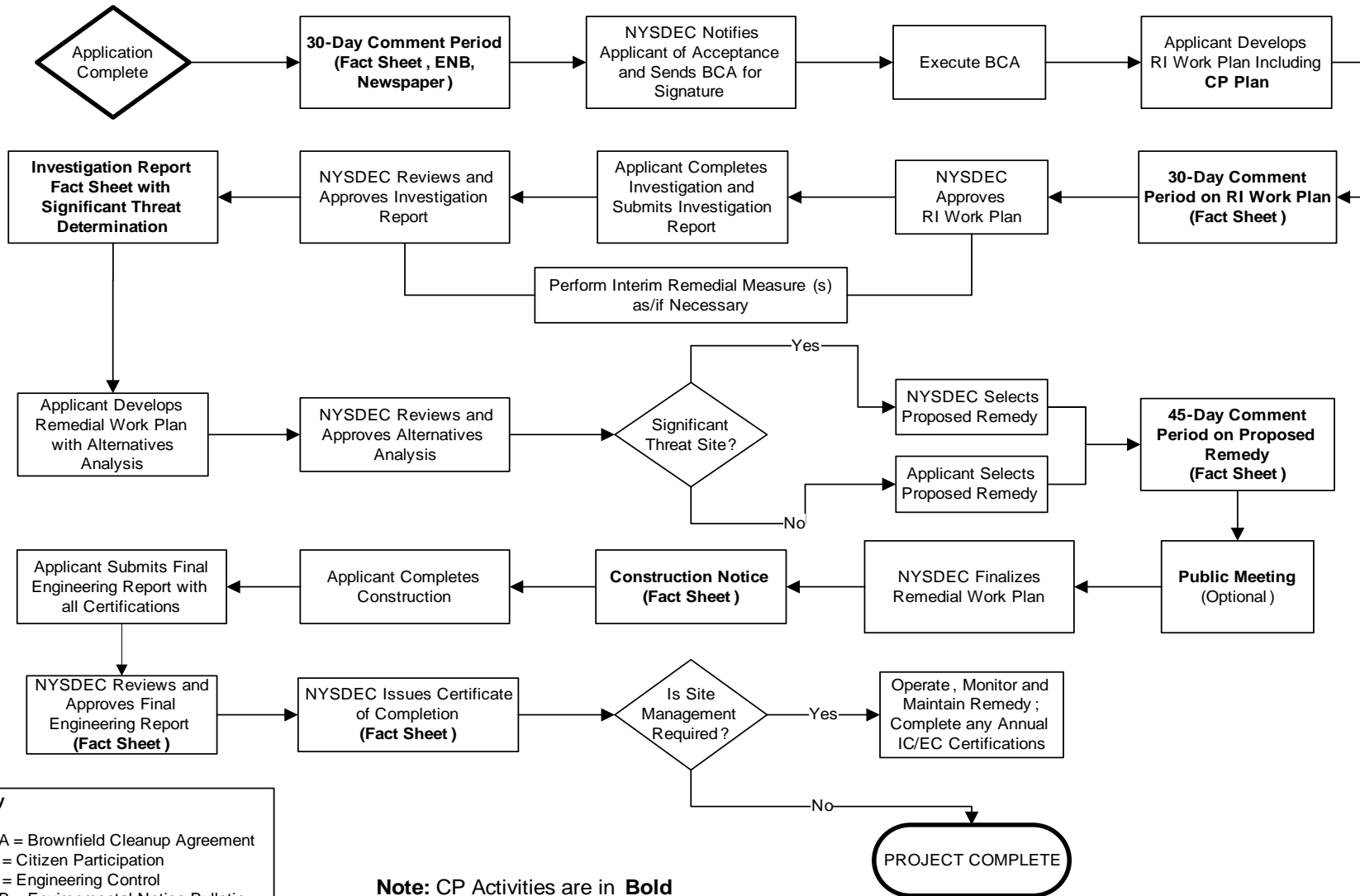
South Bronx Overall Economic Development Corporation
555 Bergen Avenue
Bronx, NY 10455
Tel: (718) 292-3113
Attn: Phillip Morrow, President
Email: info@sobro.org

We Stay / Nos Quedamos Committee Inc.
754 Melrose Avenue
Bronx, NY 10451
Tel: 718-585-2323
Fax: 718-585-8628
Email: jclemente@nosquedamos.org
Attn: Jessica Clemente, Executive Director
Website: <http://www.nosquedamos.org/>

Appendix C - Site Location Map



Appendix D– Brownfield Cleanup Program Process



Key
 BCA = Brownfield Cleanup Agreement
 CP = Citizen Participation
 EC = Engineering Control
 ENB = Environmental Notice Bulletin
 IC = Institutional Control
 RI = Remedial Investigation

Note: CP Activities are in **Bold**



Division of Environmental Remediation

Remedial Programs Scoping Sheet for Major Issues of Public Concern

Instructions

This Scoping Sheet assesses major issues of public concern; impacts of the site and its remedial program on the community; community interest in the site; information the public needs; and information needed from the public.

The information generated helps to plan and conduct required citizen participation (CP) activities, and to choose and conduct additional CP activities, if appropriate. The scoping sheet can be revisited and updated as appropriate during the site's remedial process to more effectively implement the site's CP program.

Note: Use the information as an aid to prepare and update the Major Issues of Public Concern section of the site CP Plan.

General Instructions

- When to prepare: During preparation of the CP Plan for the site. It can be revisited and updated anytime during the site remedial process.
- Fill in site name and other information as appropriate.
- The Scoping Sheet may be prepared by DEC or a remedial party, but must be reviewed and approved by the DER site project manager or his/her designee.

Instructions for Numbered Parts

Consider the bulleted issues and questions below and any others that may be unique or appropriate to the site and the community to help complete the five Parts of this Scoping Sheet. Identify the issue stakeholders in Parts 1 through 3 and adjust the site's contact list accordingly.

Part 1. List Major Issues of Public Concern and Information the Community Wants.

- Is our health being impacted? (e.g. Are there problems with our drinking water or air? Are you going to test our water, yards, sumps, basements? Have health studies been done?)
- There are odors in the neighborhood. Do they come from the site and are they hazardous?
- Are there restrictions on what we may do (e.g. Can our children play outside? Can we garden? Must we avoid certain areas? Can we recreate (fish, hunt, hike, etc. on/around the site?)
- How and when were the site's contamination problems created?
- What contaminants are of concern and why? How will you look for contamination and find out where it is going? What is the schedule for doing that?
- The site is affecting our property values!
- How can we get more information (e.g. who are the project contacts?)
- How will we be kept informed and involved during the site remedial process?
- Who has been contacted in the community about site remedial activities?
- What has been done to this point? What happens next and when?
- The site is going to be cleaned up for restricted use. What does that mean? We don't want redevelopment on a "dirty" site.

Part 2. List Important Information Needed from the Community, if Applicable.

- Can the community supplement knowledge about past/current uses of the site?
- Does the community have knowledge that the site may be significantly impacting nearby people, properties, natural resources, etc.?
- Are activities currently taking place at the site or at nearby properties that may need to be restricted?
- Who may be interested or affected by the site that has not yet been identified?
- Are there unique community characteristics that could affect how information is exchanged?
- Does the community and/or individuals have any concerns they want monitored?
- Does the community have information about other sources in the area for the contamination?

Part 3. List Major Issues and Information that Need to be Communicated to the Community.

- Specific site investigation or remediation activities currently underway, or that will begin in the near future.
- The process and general schedule to investigate, remediate and, if applicable, redevelop the site.
- Current understanding about the site contamination and effects, if any, on public health and the environment.
- Site impacts on the community and any restrictions on the public's use of the site and/or nearby properties.
- Planned CP activities, their schedule, and how they relate to the site's remedial process.
- Ways for the community to obtain/provide information (document repositories, contacts, etc.).

Part 4. Community Characteristics

a. - e. Obtain information from local officials, property owners and residents, site reports, site visits, "windshield surveys," other staff, etc.

f. Has the affected community experienced other **significant** present or past environmental problems unrelated to this site? Such experiences could significantly affect public concerns and perspectives about the site; how the community will relate to project staff; the image and credibility of project staff within the community; and the ways in which project staff communicate with the community.

g. In its remedial programs, DER seeks to integrate, and be consistent with, environmental justice principles set forth in *DEC Commissioner Policy 29 on Environmental Justice* and *DER 23 – Citizen Participation Handbook for Remedial Programs*. Is the site and/or affected community wholly or partly in an Environmental Justice (EJ) Area? Use the Search feature on DEC's public web site for "environmental justice". DEC's EJ pages define an EJ area, and link to county maps to help determine if the site and/or community are in an EJ area.

h. Consider factors such as:

- Is English the primary language of the affected community? If not, provisions should be considered regarding public outreach activities such as fact sheets, meetings, door-to-door visits and other activities to ensure their effectiveness.
- The age demographics of the community. For example, is there a significant number of senior citizens in the community? It may be difficult for some to attend public meetings and use document repositories. This may suggest adopting more direct interaction with the community with activities such as door-to-door visits, additional fact sheets, visits to community and church centers, nursing homes, etc.
- How do people travel about the community? Would most people drive to a public meeting or document repository? Is there adequate public transportation?

Part 5. Affected/Interested Public.

Individuals and organizations who need or want information and input can change during the site's remedial process. This need is influenced by real, potential, or perceived impacts of the site or the remedial process. Some people may want information and input throughout the remedial process. Others may participate only during specific remedial stages, or may only be interested in particular issues.

It is important to revisit this question when reviewing this scoping sheet. Knowing who is interested in the site – and the issues that are important to them – will help to select and conduct appropriate outreach activities, and to identify their timing and the information to be exchanged.

Check all affected/interested parties that apply to the site. **Note: Adjust the site's contact list appropriately.** The following are some ways to identify affected/interested parties:

- Tax maps of adjacent property owners
- Attendees at public meetings
- Telephone discussions
- Letters and e-mails to DER, the remedial party, and other agencies
- Political jurisdictions and boundaries
- Media coverage
- Current/proposed uses of site and/or nearby properties (recreational, commercial, industrial)
- Discussions with community organizations: grass roots organizations, local environmental groups, environmental justice groups, churches, and neighborhood advisory groups



Division of Environmental Remediation

Remedial Programs Scoping Sheet for Major Issues of Public Concern (see instructions)

Site Name: 261 Walton Avenue

Site Number: C203135

Site Address and County: 261 Walton Avenue, Bronx, New York

Remedial Party(ies): Tuck-It-Away Associates - Deegan, LLC

Note: For Parts 1. – 3. the individuals, groups, organizations, businesses and units of government identified should be added to the site contact list as appropriate.

Part 1. List major issues of public concern and information the community wants. Identify individuals, groups, organizations, businesses and/or units of government related to the issue(s) and information needs.

As of the date of preparation of this Citizen Participation Plan, no individuals, community groups, or related organizations have offered comments or demonstrated interest in this project.

The proposed investigation of soil, groundwater, and sub-slab vapor may have odor and air quality impacts. Air monitoring and site controls will be in place during investigation activities, in accordance with NYSDEC and NYSDOH regulations, to minimize impacts.

How were these issues and/or information needs identified?

The site was the subject of a Phase I Environmental Site Assessment and a Limited Phase II Site Investigation, during which past site use and site contamination were identified.

Part 2. List important information needed **from** the community, if applicable. Identify individuals, groups, organizations, businesses and/or units of government related to the information needed.

No additional information is required from the community at this time.

How were these information needs identified?

Not applicable

Part 3. List major issues and information that need to be communicated **to** the community. Identify individuals, groups, organizations, businesses and/or units of government related to the issue(s) and/or information.

The community will continue to be made aware of the following issues and information:

- Contaminants of concern related to historic site use,
- Project contacts and ways to get information,
- Components of the selected remedy,
- Progress and major project milestones, and
- Investigation, remediation and construction schedules

How were these issues and/or information needs identified?

These issues were identified by review of project information and experience on similar projects.

Part 4. Identify the following characteristics of the affected/interested community. This knowledge will help to identify and understand issues and information important to the community, and ways to effectively develop and implement the site citizen participation plan (mark all that apply):

a. Land use/zoning at and around site:

Residential Agricultural Recreational Commercial Industrial

b. Residential type around site:

Urban Suburban Rural

c. Population density around site:

High Medium Low

d. Water supply of nearby residences:

Public Private Wells Mixed

e. Is part or all of the water supply of the affected/interested community currently impacted by the site?

Yes No

Provide details if appropriate:

[Click here to enter text.](#)

f. Other environmental issues significantly impacted/impacting the affected community?

Yes No

Provide details if appropriate:

Not Applicable.

g. Is the site and/or the affected/interested community wholly or partly in an Environmental Justice Area?

Yes No

h. Special considerations:

Language Age Transportation Other

Explain any marked categories in **h**:

The site is located in an area that has a large Hispanic population. Future fact sheets will be translated into Spanish.

Part 5. The site contact list must include, at a minimum, the individuals, groups, and organizations identified in Part 2. of the Citizen Participation Plan under 'Site Contact List'. Are *other* individuals, groups, organizations, and units of government affected by, or interested in, the site, or its remedial program? (Mark and identify all that apply, then adjust the site contact list as appropriate.)

Non-Adjacent Residents/Property Owners: See Contact List

Local Officials: See Contact List

Media: See Contact List

Business/Commercial Interests: See Contact List.

Labor Group(s)/Employees: [Click here to enter text.](#)

Indian Nation: [Click here to enter text.](#)

Citizens/Community Group(s): See Contact List

Environmental Justice Group(s): See Contact List

Environmental Group(s): See Contact List

Civic Group(s): See Contact List

Recreational Group(s): [Click here to enter text.](#)

Other(s): [Click here to enter text.](#)

Prepared/Updated By: Langan Engineering, Environmental, Survey,
Landscape Architecture and Geology, D.P.C.

Date: July 28, 2020

Reviewed/Approved By: Thomas V. Panzone

Date: 9-18-20